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PART IV-A

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made
by the Government of Gujarat under the Central Acts

LEGAL DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar, 20th January, 2025

CONSTITUTION OF INDIA.

No. GK/02/2025/LD/HAW/e-file/12/2024/0875/H:- In exercise of the powers conferred by articles 165, 166 and the proviso to article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Gujarat hereby makes the following rules further to amend the Law Officers (Appointment and Conditions of Service) and Conduct of Legal Affairs of the Government Rules, 2009, namely:-

1. (a) These rules may be called the Law Officers (Appointment and Conditions of Service) and Conduct of Legal Affairs of the Government (Amendment) Rules, 2025.
- (b) It shall come into force from the 1st February, 2025.
2. In the Law Officers (Appointment and Conditions of Service) and Conduct of Legal Affairs of the Government Rules, 2009 (hereinafter referred to as “the said rules”), in rule 15, -
 - (1) for sub-rule (1), the following shall be substituted, namely: -
 - “(a) The Advocate General shall be entitled to —
 - (i) remuneration of Rs. 3,50,000/- per month;
 - (ii) office expenses of Rs. 50,000/- per month.”

- (b) The Additional Advocate General shall be entitled to —
- (i) remuneration of Rs. 2,50,000/- per month;
 - (ii) office expenses of Rs. 35,000/- per month.”
- (2) for sub-rule (2), the following shall be substituted, namely: -
- “(a) The Government Pleader and Public Prosecutor in the High Court shall be entitled to -
- (i) remuneration of Rs. 1,75,000/- per month;
 - (ii) office expenses of Rs. 25,000/- per month.”
- (b) The Government Pleader and Public Prosecutor in the District Courts shall be entitled to -
- (i) remuneration of Rs. 60,000/- per month;
 - (ii) office expenses of Rs. 10,000/- per month.”
- (3) for sub-rule (3), the following shall be substituted, namely: -
- “Additional Government Pleader, Additional Public Prosecutors and the Assistant Government Pleader in the High Court shall paid retainer fees of Rs. 1,00,000/- per month.”
- (4) for sub-rule (4), the following shall be substituted, namely: -
- “Additional Government Pleader and Assistant Government Pleader and Subordinate Government Pleader and Additional Public Prosecutor in the District Courts shall be paid retainer fees of Rs. 50,000/- per month.”
- (5) for sub-rule 5, the following shall be substituted, namely: -
- “The Law Officers appointed in the Tribunals (except NCLT and NCLAT) shall be paid retainer fees of Rs. 50,000/- per month.”
3. In the said rules, for Schedule A, the following Schedule shall be substituted, namely: -

“Schedule A”

(see rule – 17)

Sr. No.	Particulars	Amount in Rs. (per case)
Fees of Advocate General and Additional Advocate General in the High Court		
1.	(a) If the Advocate General/Additional Advocate General appears on behalf of and under the order of the State Government in the proceedings before the High Court, he shall, save as otherwise provided by any special order, be entitled to a fee as Counsel per day Listing of any main matters i.e. matters like W.P/L.P.A./F.A./S.A./CRA/AO/Cri. Appeal/Company Petitions/ References/ etc. and	1500/-
	(b) Per day Listing of any miscellaneous matters like CA/MCA/Misc. Cri. Application etc.	1000/-
2.	All/any matter/s filed or pending involving issue/s similar to or identical with issues arising in mater/s assigned to or being handled by the Advocate General/Additional Advocate General shall be or stand assigned to the Advocate General/Additional Advocate General as the case may be, provided however that the full fees mentioned above shall be payable only for the first 25 matters and fees at half the said rate shall be payable for the rest of 475 matters of the group.	

4. In the said rule, for Schedule B, the following Schedule substituted, namely: -

“Schedule B”

(See rule – 17)

Sr. No.	Particulars	Amount in Rs. (per case)
Fees of Government Pleader and Public Prosecutor in the High Court		
1.	(a) If the Government Pleader and Public Prosecutor appears on behalf of and under the order of the State Government in the proceedings before the High Court, he shall, save as otherwise provided by any special order, be entitled to a fee as Counsel per day Listing of any main matters i.e. matters like W.P/L.P.A./F.A./S.A./CRA/AO/Cri. Appeal/ Company Petitions/ References/ etc. and	1000/-
	(b) Per day Listing of any miscellaneous matters like CA/MCA/Misc. Cri. Application etc.	700/-
2.	All/any matter/s filed or pending involving issue/s similar to or identical with issues arising in mater/s assigned to or being handled by the Government Pleader and Public Prosecutor shall be or stand assigned to the Government Pleader and Public Prosecutor as the case may be, provided however that the full fees mentioned above shall be payable only for the first 25 matters and fees at half the said rate shall be payable for the rest of 475 matters of the group.	

Note: The above prescribed rate of fees (except the retainer fees) shall monthly be payable subject to the actual fees or Rs.12,00,000/- whichever is less.”.

5. In the said rules, for Schedule B1, the following Schedule shall be substituted, namely: -

“Schedule B1”

(see rule – 17)

Sr. No.	Particulars	Amount in Rs. (per case)
1.	Fees of Additional Government Pleader, Additional Public Prosecutor in the High Court	
	(a) Main matters like W.P/L.P.A./F.A./S.A./CR.A./AO/Company Petitions/References/S. Cr. A/Cri. revision/ Cri. appeal etc.	
	(i) for settlement of Draft Petition/Appeal/ Replies, etc.	5000/-
	(ii) At the admission hearing stage	5000/-
	(iii) At the final hearing stage	6000/-
	(b) Other Civil Applications/Misc. CA/Cr. Applications	
	(i) for settlement of Draft Petition/Appeal/ Replies, etc.	1500/-
	(ii) At the admission hearing stage	2000/-
	(iii) At the final hearing stage	2500/-
	(c) Misc. Cri. Application, Bail Applications, etc.	
	(i) for settlement of Draft Petition/Appeal/ Replies, etc.	1500/-
	(ii) At the final hearing stage	2500/-

2. Fees of Assistant Government Pleaders in the High Court

(a) Main matters like W.P./L.P.A./F.A./S.A./CR.A./AO/Company Petitions/References etc.	
(i) for settlement of Draft Petition/Appeal/Replies, etc.	5000
(ii) At the admission hearing stage	5000
(iii) At the final hearing stage	6000
(b) Other Civil Applications/Misc.CA	
(i) for settlement of Draft Petition/Appeal/ Replies, etc.	1500
(ii) At the admission hearing stage	2000
(iii) At the final hearing stage	2500

Note:

- (1) The above prescribed rate of fees (except the retainer fees) shall monthly be payable subject to the actual fees or Rs.3,00,000/- whichever is less for Additional Government Pleader, Additional Public Prosecutor in the High Court,
- (2) The above prescribed rate of fees (except the retainer fees) shall monthly be payable subject to the actual fees or Rs.2,50,000/- whichever is less for Assistant Government Pleader in the High Court,

6. In the said rules, for Schedule C, the following Schedule shall be substituted, namely: -

Schedule – C**(See rule 17)**

Statement showing fees of District Government Pleaders (D.G.P), Assistant Government Pleaders (A.G.P), Public Prosecutors (P.P) and Additional Public Prosecutors (AD.PP.) in District Courts.

(I)

Sr No.	Particulars	Amount for D.G.P. per case (In Rs.)	Amount for A.G.P. per case (In Rs.)
(i)	Civil Suits/Land Acquisition References/MACPs:		
(a)	Interim/Interlocutory applications (at the stage of final disposal)	500	400
(b)	Recording of evidence and final disposal of suit/petition/reference (per day)	800	600
(c)	Withdrawal/settlement of suit/petition/reference (in lumpsum)	600	400
(d)	For settlement of draft of suit/W.S/petition etc. (in lumpsum)	700	500
(ii)	Civil Misc. applications/ Pauper applications (at the stage of final disposal)	400	200
(iii)	Appeals/ Revision Applications:		
(a)	At the admission stage hearing.	600	400
(b)	At the final hearing stage.	800	600
(c)	For settlement of draft appeals/Revision/replies (in lumpsum)	700	500

Note:

- (1) The above prescribed rate of fees (except the retainer fees) shall monthly be payable subject to maximum limit of Rs.6000/- for DGP and Rs.5000/- for AGP respectively, irrespective of the number of cases conducted by them during that day. However, such limit shall be exclusive of drafting charges.
- (2) No fees shall be payable till the stage of recording of evidence in the suit/reference/petition.

(II)

Sr No.	Particulars	Amount for Public Prosecutor per case (In Rs.)	Amount for Add.Public Prosecutor per case (In Rs.)
(i)	Sessions (for recording of evidence & final hearing) (per day)	800	600
(ii)	Appeals & Revisions (at the admission hearing stage)	1000	800
(iii)	Appeals & Revisions (at the final hearing stage)	800	600
(iv)	Interlocutory/Interim/ Misc/Bail applications (at the stage of final disposal)	600	400
(v)	Settlement of draft of Appeal/Revision Application/ Misc. Applications.	600	400

Note:

- (1) The above prescribed rate of fees (except the retainer fees) shall monthly be payable subject to maximum limit of Rs.6000/- for P.P. and Rs.5000/- for Ad.P.P. respectively, irrespective of the number of cases conducted by them during that day. However, such limit shall be exclusive of drafting charges.
- (2) No fees shall be payable till the stage of recording of evidence in the sessions case.

7. In the said rules, for Schedule D, the following Schedule shall be substituted, namely: -

SCHEDULE - "D"**(See rule 17)**

Statement showing fees of Law Officers Appointed in Tribunals.

I.	Gujarat Revenue Tribunal, Gujarat Public Works Contracts Disputes Arbitration Tribunal and Gujarat State Educational Tribunal:	Amount in Rs. (Per case)
(1)	For effective hearing per day Subject to maximum limit of Rs.3000/- per day, irrespective of number of cases conducted by them during that day.	Rs. 600/-
(2)	For settlement of pleadings and other applications/replies etc.	Rs. 400/-
II.	For the Tribunals other than the above mentioned Tribunal (Except NCLT and NCLAT) :	
(1)	For effective hearing per day Subject to maximum limit of Rs.3000/- per day, irrespective Of number of cases conducted by them during that day.	Rs. 500/-
(2)	For settlement of pleadings and other applications/replies etc.	Rs. 300/-

Note:

- (1) The above prescribed rates of fees (except the retainer fees) shall be payable subject to maximum limit of Rs.8000/- per day.

8. In the said rules, for sub-rule (2) of rule 17, the following rule shall be substituted, namely: -

Except as otherwise provided by the general or special orders of the State Government, the Special Counsel or Special Public Prosecutor appointed in the individual cases by the Government shall be paid fees maximum up to Rs. 10,000/- per day effective hearing and Rs.5000/- per day non-effective hearing and in all Rs.2,00,000/- per case, subject to the other conditions that may be imposed by the Government.

By order and in the name of the Governor of Gujarat,

N. A. BARIA,

Deputy Secretary to Government.

